



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3010798

Applicant Name: Michelle Wang, Runberg Architects for Low Income Housing Institute (LIHI) Development

Address of Proposal: 2010 South Jackson Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a five-story multifamily structure containing 61 units (low-income elderly housing). Surface parking for six vehicles to be provided. Project includes 1,020 cu. yds. of grading.

The following Master Use Permit components are required:

Design Review – Seattle Municipal Code Section 23.41 with Development Standard Departure:

1. Residential Uses at Street Level (SMC 23.47A.005.C.3 and 23.47A.008.A.1)
2. Parking Location and Access (SMC 23.47A.032.B)
3. Parking Space Standards (SMC 23.54.030.B.1.b)

SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

SITE AND VICINITY

Site Zone:

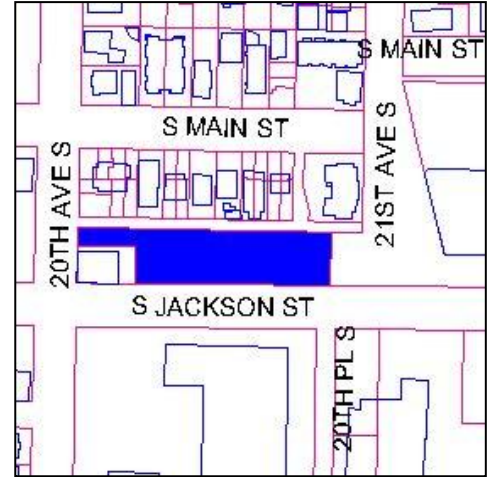
C1-65' and 23rd & Union-Jackson Residential Urban Village Overlay.

Nearby Zones:

(North) Lowrise 3 (across alley)--(South) C1-65'--(East) C1-65'--(West) C1-65'.

Lot Area:

The 14,498 sq.ft. site is an irregularly shaped lot that fronts approximately 300 feet along South Jackson and a "panhandle" shape that fronts approximately 28 feet along 20th Ave. South.



Current Development:

Vacant

Access:

Alley to the north and South Jackson Street to the south. The site is located in the Central Area neighborhood at the intersection of 20th Ave S. and South Jackson Street. The site occupies the northeast corner of the intersection of 20th and Jackson. There is an alleyway servicing the site along the north edge, as well as a vacated ROW to the east of the site called the Yesler-Atlantic pedestrian walkway which continues north to S. Washington Street.

The site descends gently approximately 18-20 feet from west to east. There are no existing structures on the site. A small restaurant occupies adjacent property at the southwest corner.

Surrounding Development:

The area is zoned a mixture of C1-65', L-3 directly to the north and across the alley, NC3-40' kitty-corner to the project block, and NC3-65' across the street and to the southeast. Reflecting the diversity of activity of use near this site, other nearby zoning designations are: LDT, L-1, 2, and 3, NC1-40'. The site is served by public transportation (Metro 14 bus route) along South Jackson Street. Existing crosswalks help negotiate the traffic flow of Jackson and allow greater mobility through the neighborhood.

ECAs:

None

Neighborhood Character:

This site is oriented primarily toward a moderately busy portion of South Jackson Street. The surrounding area is composed of highly mixed uses, such as the Franz Bakery and Washington Middle School across the street, the Seattle Vocational Institute to the east as well as retail spilling up from the International District. Between the project site and the Seattle Vocational School to the east, there is a path that leads up to a small park, and then continues to South Washington Street. Nearby is also Judkins Park, Edwin T. Pratt Park, the Pratt Fine Arts Center, the Douglas Truth branch of the Seattle Public Library, and the Caroline Downs Family Medical Center. There is a small retail core approximately 600 feet to the east at 23rd and Jackson.

PROJECT DESCRIPTION

The proposed project is for the design and construction of a five story low income senior housing building with approximately 61 units. Parking for 6 vehicles to be provided within the structure, at grade and accessed from the alley.

On the east half of the lot, there will be a future Low Income Housing Institute (LIHI) development for approximately 50 units of workforce housing for families.

PUBLIC COMMENTS

Approximately 30 members of the public attended the Early Design Guidance meeting held on October 20, 2010. The following comments were offered:

- Stated that the townhouses that are directly across the alley from the subject site are oriented toward the alley as their front yards. These units have concerns about light and shadow impacts, increased traffic, noise from the transformer and trash collection from the proposed building. They are also concerned with the proposed setback reduction along the alley side of the proposed building.
- Objected to having direct connections between the site and the alley and the future use should be contained.
- Feels street parking should be improved and better enforced. Concerned that the portion of the building located in the panhandle will block the entrance to the building located at the corner. This corner site would like to retain its future ability to redevelop.
- Concerned with venting location and noise generators.
- Want to know what street level enhancement will be provided.

The applicant applied for a Master Use Permit on January 6, 2011. Notice of Application was published on January 27, 2011 and a 14-day comment period ended on February 9, 2011. Several comments were received by DPD during this period.

- Request to be a Party of Record.
- Concern regarding the proposed parking structure and would like that “panhandle” portion of the property to be made available for the commercial use of the corner property located at 2000 South Jackson Street. The parking should be located elsewhere on the site or be made available for use by other properties.
- Lack of parking in the neighborhood.
- Concerned about the impact of grading associated with the proposed project and potential damage that may result to the property at 2000 South Jackson Street.
- Concerned with the setbacks and buffer created between the proposed development and the existing structure at the corner.
- Would like more information regarding the street improvements.

Approximately four members of the public attended the Final Recommendation meeting on March 2, 2011. The following comments were offered:

- The parking garages aren't necessary and will create a difficult to maintain area between the garage wall and the adjacent property
- The building will create shadows on adjacent residences and make it difficult for residents to use solar energy in the future
- The building is too large and includes too many units for the lot
- The metal fence design is not developed enough to comment on
- The fences should be set back from the property line
- The additional trees are a positive improvement over the previous vines proposed at the alley
- The applicant should design the west-facing units to respond to future development on the parcel to the west
- The display windows are a positive aspect of the design
- There should be more transparency at the street level
- The street level should not include the manager's office, and should include a more active use
- The street level windows should provide transparency to the open space to the north

ANALYSIS - DESIGN REVIEW

Design Guidance

Three alternative design schemes were presented at the early Design Guidance. All of the options include at grade parking shown within the structure in the panhandle portion of the site, common amenity spaces at the ground level and open space between the building and the sidewalk and to the north of the proposed structure.

The first scheme (Option A) showed a simple rectangular five-story volume which is pushed up against S Jackson St. in order to open up as much space toward the alley in back as possible.

The second scheme (Option B) showed a six-story structure that stepped down to 4 stories along the alley. The entire massing is set back from S Jackson St to provide relief from the public right of way.

The third and preferred scheme (Option C) showed a courtyard space between the proposed building and a future LIHI development site adjacent to the property. This scheme has greater modulation along Jackson than the other two options.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's Design Review: Guidelines for Multifamily and Commercial Buildings of highest priority to this project.

The applicant described the changes to the design since EDG, which included:

- A wider sidewalk at S. Jackson St
- Additional setback adjacent to the alley, and shifted the building to the south for additional light and air to residents north of the alley
- Additional landscaping at the alley
- Relocated the entry closer to the courtyard
- Made the entry clearly identifiable with a red vertical bay
- Enclosed the trash and recycling at the alley
- Connected the interior amenity space with the courtyard near the east property line

The material palette included gray and beige metal, red cementitious panels, red metal panels, white vinyl windows, dark bronze storefront windows and awnings, and architectural concrete. The decorative fence was composed of metal panels to create a piano keyboard appearance and allow for transparency and security. The west parking garages were one story tall to relate to the scale of adjacent development.

The landscape plan included P-patch areas for residents, a green screen for patios adjacent to the alley, and lower retaining walls than at EDG.

Departures include allowing more than permitted amount of residential use at street level, allowing the display windows at the west property line to count as an “intervening use” between parking and the street, and reducing the minimum size of parking spaces.

Site Planning

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

At the Early Design Guidance Meeting, the Board recognized that the site has an unusual shape with the panhandle portion and unusual topography that slopes significantly downward from west to east. These conditions coupled with the long frontage and proposed program pose a challenge to creating a site and use that engages and activates the street and alley.

At the Final Recommendation Meeting, the Board discussed the proposed street level design which includes offices, a computer/library room for residents, a lobby seating area, and a manager’s office. The Board noted that since the proposed design requests a departure to allow the entire street frontage to be a residential use, the design needs to specifically enhance the pedestrian experience and activity at the street level.

The Board recommended conditions to modify the design to activate the streetscape, including the following changes:

- Replace the manager’s office with community/residential amenity space at the street front façade

- Lower the street front window sills down to grade wherever possible
- Include exterior sun shades on the south façade to prevent drawn blinds at the street level
- Relocate the southwest gate further to the north to increase glazing adjacent to the sidewalk
- Revise the street level entry design to enhance the entry through use of decorative paving, carrying the red material through a soffit and into the building, providing an area for passenger loading, etc.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

At the Early Design Guidance Meeting, the Board discussed at length the design and configuration of the landscaped and hardscaped areas between the building façade and the sidewalk and the alley and townhouses to the north of the building. These open spaces involve a series of retaining walls, fences, planters, patios and vegetation. The Board would like to see more detail of the design of these walls and fences. All of these features should endeavor to interact with the sidewalk and pedestrians. Both visual and experiential access to these open spaces is critical, especially given the lack of commercial uses at the ground level.

At the Final Recommendation Meeting, the Board recommended conditions to increase human activity at the street level, as described in response to Guidelines A-1 and A-5.

The Board also discussed the proposed stair that connects S. Jackson Street to the alley near the east façade. The tight metal weave and solid appearance of the metal ‘piano keys’ fence design appears to discourage pedestrian use. The opaque appearance of the metal fence can reduce eyes on the street and have a negative impact on safety at the sidewalk and the stairs. The Board discussed the graphic titled “A Woman’s Mark” on page 27 of the packet as a positive example of a decorative metal fence that can provide security and allow transparency.

The Board recommended a condition to make the east stair case wider, make the fence design more transparent, and increase visibility from the sidewalk to the alley.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

At the Early Design Guidance Meeting, the Board stated that activation of both the street and alley facades are important given the orientation of the neighbors to the north towards the alley as their front yards and the position of the development on an important commercial arterial. The Board emphasized that the communal space provided at the ground floor should truly interact visually and physically with the sidewalk and pedestrian environment.

At the Final Recommendation Meeting, the Board recommended conditions to increase human activity at the street level, as described in response to Guidelines A-1 and A-5.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

At the Early Design Guidance Meeting, the Board discussed the importance of the design of the alley elevation. The Board supported the suggestion that the alley design be a softer environment and not simply a typical back of house appearance. The alley elevation and site plan should

create opportunities for open space and shift the building toward the street front to allow more light and air between buildings. Generous landscaping and activation of the north side of the site are important and can be achieved with programming of the interior common space extending though the first floor to the alley façade. See also A-7.

At the Final Recommendation Meeting, the Board talked about the design response at the alley. The Board noted that the alley façade should be designed as a front façade, given the context of residences to the north that face the alley. The landscape and hardscape should be blended with the alley surface to visually and physically connect the proposal with the alley. The north facing doors should be treated as ‘front doors’ for the building. The landscaping should be planted less densely, and the fences should be lowered or removed in order to create a forecourt for the proposed building, rather than creating the impression of a backyard.

The Board recommended a condition to modify the alley elevation and landscape plan to increase visibility and connection with the alley surface and residential development to the north.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

See A-7below.

At the Final Recommendation Meeting, the Board recommended conditions to modify the front residential entry as described in response to Guideline A-1, and modify the north façade as described in response to Guideline A-5.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

At the Early Design Guidance Meeting, the Board agreed that a visual connection through the site to the alley is critical and the design should strive to achieve porosity among the sidewalk, the ground level open spaces, the interior and where possible, through to the alley. The Board felt that the location of the courtyard in general could be more effective in a different location where there are less grade challenges and visual barriers. If the courtyard is not relocated from its current location, the proposed courtyard space to the east should engage with the interior uses on the west façade ie, relocating the stair tower and avoiding a blank wall on this elevation.

At the Final Recommendation Meeting, the Board recommended a condition to increase modify the stair and fence design as described in response to Guideline A-2, and a condition to increase connection between the street level and the sidewalk as described in response to Guideline A-1.

A-9 Location of Parking on Commercial Street Fronts. Parking on a commercial street front should be minimized and where possible should be located behind a building.

See D-2.

See response to Guideline D-2.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones.

Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

At the Early Design Guidance Meeting, the Board acknowledged the zone change across the alley from the subject site to a Lowrise zone. The Board appreciated that a lower height was shown in the preferred option (five stories) and agreed that this would be a more sensitive response to the neighborhood context and existing development.

At the Final Recommendation Meeting, the Board appreciated the applicant's efforts to reduce the impacts on properties to the north.

The Board discussed the overall mass of the building and the transition at the southeast corner. The east façade includes a street level setback with upper building overhang. The Board recommended a condition to avoid street level setbacks or upper story overhangs to reduce the appearance of mass at the east façade.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

At the Early Design Guidance Meeting, the Board agreed that the concept of the dynamic façade was promising and would like to see it further developed. The Board supported the idea of a simple skin and a clean façade without a lot of extraneous “stuff” hanging off of it. The Board also expressed interest in materials used in a “natural” manner.

At the Final Recommendation Meeting, the Board discussed the pattern of material texture and windows in relation to the overall design concept. The alternating vertical and horizontal orientation of the gray siding appears to detract from the overall design concept, and could be applied in a pattern that better emphasizes the vertical and horizontal massing in the building. The smaller windows also appear to be too small in proportion to the overall design and fenestration elsewhere on the building. The Board noted the importance of each façade, given the adjacent uses. No façade should be designed as the “back” of the building.

The Board recommended a condition to use the material texture to emphasize the horizontal and vertical elements of the building. The application of materials and colors should be consistent on all facades.

The Board also recommended a condition to use larger windows in place of the small windows on the south facade, or use the materials and colors to frame the small windows so they appear larger.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

At the Early Design Guidance Meeting, the Board was supportive of the siding concept that reinforced the dynamic façade design concept.

At the Final Recommendation Meeting, the Board appreciated the use of the red material, and specifically the way the material appeared to wrap around the top and sides of the bay extension. The Board discussed the long term maintenance and fading of red paint, especially on south-facing facades. The Board recommended a condition to use a bold color (red or another color) that is durable and treated for long term color retention.

The Board also recommended a condition to create a unified palette and consistent application of light fixtures for the proposed design.

D. Pedestrian Environment

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

At the Early Design Guidance Meeting, the Board discussed the proposed blank wall along 20th Ave South and agreed that a blank wall at this location is not an acceptable design solution. The Board suggested there might be an opportunity for the residential amenity space to be located in the panhandle portion of the building. The Board acknowledged that this is a somewhat unfortunate configuration of the property that creates this unusual condition. The Board felt that the frontage on 20th Avenue should be more activated. For these reasons, the Board was disinclined towards a departure that would allow a blank wall at this location. The Board suggested exploring other locations for the parking.

At the Final Recommendation Meeting, the Board appreciated the use of the display case at the 20th Ave S. façade, and expressed confidence in the ability of Pratt Fine Arts Center to curate the exhibit in a way that will create visual interest and function to separate the parking from the street front.

The Board recommended a condition that the property owner maintain an agreement with a professional art institution to curate the display case.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

See A-2.

At the Final Recommendation Meeting, the Board appreciated the lowered retaining walls. The Board recommended conditions to lower the fence heights and make the fences more transparent, as described in the response to Guidelines A-2 and A-5.

D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

At the Early Design Guidance Meeting, the Board agreed that the parking configuration in the panhandle portion of the site created a potentially undesirable condition on the 20th Street frontage with a blank wall that needs to be further explored. The Board noted that the single

story garage structure, as proposed, will be very visible to the neighbors across the alley to the north and as such, should be well designed.

At the Final Recommendation Meeting, the Board recommended a condition to maintain the display case, as described in response to Guideline D-2.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

At the Early Design Guidance Meeting, the Board noted that all of the service elements should be contained in the structure and screened from view by the neighbors across the alley.

At the Final Recommendation Meeting, the Board didn't discuss the proposed trash/recycling enclosure at the alley. The applicant proposed completely enclosing this area.

- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

At the Early Design Guidance Meeting, the Board stated that safety and security along the alley and street front are critical and should be addressed with lighting, clear views across the site and views to and from the interior spaces.

At the Final Recommendation Meeting, the Board recommended a condition to modify the stair design, as described in response to Guideline A-2.

- D-8 Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.

See A-5, D-5, D-7 and E-3.

At the Final Recommendation Meeting, the Board recommended a condition to modify the alley façade and landscaping, as described in response to Guideline A-5.

- D-11 Commercial Transparency.** Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

At the Early Design Guidance Meeting, the Board recommended that the ground level design include significant glazing and transparency to further reinforce views to and from the site and interaction between the interior uses (common areas) with the open spaces and pedestrian activity.

At the Final Recommendation Meeting, the Board recommended a condition to modify the street level transparency at the south facade, as described in response to Guideline A-1.

E. Landscaping

- E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

At the Early Design Guidance Meeting, the landscape design includes a setback area between the sidewalk and the building face, as well as a courtyard area to the east of the proposed building. This intervening open space would include a series of stepped landscaped and hardscaped areas and delineated with an ornamental fence. The Board stated concerns with the separation of this space from the pedestrian environment and wanted to see more visual and experiential interconnectivity among the ground level uses, the open spaces and the sidewalk. The landscape design also included a setback and vegetation along the alley façade. The Board would like to see this concept further developed and enhanced.

At the Final Recommendation Meeting, the Board recommended a condition to modify landscaping at the alley and the fences at the alley and east courtyard, as described in response to Guidelines A-2 and A-5.

DEVELOPMENT STANDARD DEPARTURES

Three departures from the development standards were proposed. The Board's recommendation on the requested departure(s) was based upon the departure's potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

- 1. Residential Uses at Street Level (SMC 23.47A.005.C.3 and 23.47A.008.A.1):** The Code requires that residential uses located at street level are limited to 20%. The applicant proposes to have 100% residential uses located at street level. The applicant proposes to use transparency and human activity at the street level in order to accomplish the intent of commercial uses at street level, consistent with Guidelines A-2, A-4, and D-11.

The Board recommended that DPD grant the departure for the residential use at street level, subject to the conditions listed below.

- 2. Parking Location and Access (SMC 23.47A.032.B):** The Code requires street level parking must be separated from the street level, street facing facades by another permitted use. The applicant proposes to separate the street level parking from the property line with a 20-foot wide by 5-foot tall by 5-foot deep display case. The proposed display case will provide a better transition to adjacent residential parcels, it will not interrupt a commercial street frontage, and will adequately separate parking from the street front consistent with Guidelines A-1, A-2, A-5, and D-5.

The Board recommended that DPD grant the departure for the parking location to be separated from street level with the display case, subject to the conditions listed below.

- 3. Parking Space Standards (SMC 23.54.030.B.1.b):** The Code requires that if more than 5 parking spaces are provided, a minimum of 60% of the parking spaces shall be striped for medium sized vehicles. The applicant proposes to provide all the parking spaces will be striped for small sized vehicles. The applicant proposes minimal parking and has designed the small parking garage and display case to minimize impacts to surrounding residential development, consistent with Guidelines A-5 and D-5.

The Board recommended that DPD grant the departure for parking stall size, subject to the conditions listed below.

The recommendations summarized below was based on the design review packet dated March 2, 2011, the additional design review packet materials dated March 2, 2011, and the materials shown and verbally described by the applicant at the March 2, 2011 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and initial recommendation conditions, and reviewing the plans and renderings, the four Design Review Board members recommended APPROVAL of the subject design and the requested development standard departure from the requirements of the Land Use Code (listed above). The Board recommends the following CONDITIONS (Authority referred in the letter and number in parenthesis):

1. The Board recommended a condition to amend the design to activate the streetscape, including the following changes (A-1, A-2, A-4, A-6, A-7, D-11):
 - Replace the manager's office with community/residential amenity space at the street front façade
 - Lower the street front window sills down to grade wherever possible
 - Include exterior sun shades on the south façade to prevent drawn blinds at the street level
 - Relocate the southwest gate further to the north to increase glazing adjacent to the sidewalk
 - Revise the street level entry design to enhance the entry through use of decorative paving, carrying the red material through a soffit and into the building, providing an area for passenger loading, etc.
2. Widen the east stair case, make the fence more transparent, and increase visibility from the sidewalk to the alley. (A-2, A-7, D-3, D-7, E-3)
3. Modify the alley elevation and landscape plan to increase visibility and connection with the alley surface and residential development to the north. (A-2, A-4, A-5, A-6, D-3, D-8, E-3)
4. Avoid street level setbacks or upper story overhangs to reduce the appearance of mass at the east façade. (B-1)
5. Use the material texture to emphasize the horizontal and vertical elements of the building. The application of materials and colors should be consistent on all facades. (C-2)
6. Use larger windows in place of the small windows on the south facade, or use the materials and colors to frame the small windows so they appear larger. (C-2)
7. Use a bold color (red or another color) that is durable and treated for long term color retention. (C-4)
8. Create a unified palette and consistent application of light fixtures for the proposed design. (C-4)
9. The property owner shall maintain an agreement with a professional art institution to curate the display case. (A-9, D-2, D-5)

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the Capitol/First Hill/Central Area Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

The proposal is for 61 residential units, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and exceeds the unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 6, 2011 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction

activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 1,020 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 1,020 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy

(SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Traffic and Parking

A Trip Generation and Parking Demand Estimate Memorandum for the proposed project was prepared by William Popp Associates, dated April 13, 2011 (see project file). The analysis documents that, at peak times, the project's parking demand likely will exceed supply by approximately one space; such demand is anticipated to be met by available on-street parking, and will not cause any noticeable impacts. The additional traffic from the project will be minimal, and no noticeable transportation impacts are expected. Therefore, no parking or traffic mitigation is warranted.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.
3. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

DESIGN REVIEW

Prior to Building Permit Issuance

4. The Board recommended a condition to amend the design to activate the streetscape, including the following changes:
 - Replace the manager's office with community/residential amenity space at the street front façade.
 - Lower the street front window sills down to grade wherever possible.
 - Include exterior sun shades on the south façade to prevent drawn blinds at the street level.
 - Relocate the southwest gate further to the north to increase glazing adjacent to the sidewalk.
 - Revise the street level entry design to enhance the entry through use of decorative paving, carrying the red material through a soffit and into the building, providing an area for passenger loading, etc.
5. Widen the east stair case, make the fence more transparent, and increase visibility from the sidewalk to the alley.
6. Modify the alley elevation and landscape plan to increase visibility and connection with the alley surface and residential development to the north.
7. Avoid street level setbacks or upper story overhangs to reduce the appearance of mass at the east façade.

8. Use the material texture to emphasize the horizontal and vertical elements of the building. The application of materials and colors should be consistent on all facades.
9. Use larger windows in place of the small windows on the south facade, or use the materials and colors to frame the small windows so they appear larger.
10. Use a bold color (red or another color) that is durable and treated for long term color retention.
11. Create a unified palette and consistent application of light fixtures for the proposed design.

Prior to Issuance of any Certificate of Occupancy

12. Artwork at the two locations specified (westernmost wall façade and the courtyard fence along the Jackson Street frontage at the southeast corner of the property) in the Letter of Intent dated April 29, 2011 (see file) and Sheet AA1.0 shall be installed.
13. The draft Covenant and Restriction for Facility Use that addresses window shades and transparency and art curation shall be recorded and a copy submitted to DPD.
14. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as those documented in the approved plans dated April 27, 2011.

For the Life of the Property

15. The property owner shall maintain an agreement with a professional art institution to curate the display case per the recorded Covenant.

Signature: (Signature on File)
Lisa Rutzick, Senior Land Use Planner
Department of Planning and Development

Date: June 16, 2011